United Nations A/HRC/WG.6/30/BFA/2

General Assembly

Distr.: General
12 March 2018
English
Original: English/French

Human Rights Council
Working Group on the Universal Periodic Review
Thirtieth session
7–18 May 2018

Compilation on Burkina Faso

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1][2]

2. A number of treaty bodies recommended that Burkina Faso ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, and the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).[3] In addition, several treaty bodies encouraged and invited the country to recognize their complaints procedures.[4]

III. National human rights framework[5]

3. The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso finalize the revision of the constitutional and legislative framework that was under way, initiate public debates on diversity of opinion and interpretation with regard to religious and customary personal laws and practices, with the participation of women's civil society organizations, and build consensus for the adoption of laws promoting women's rights.[6]

4. In 2013, the Committee against Torture recommended that Burkina Faso expedite the revision of the Code of Criminal Procedure to bring it into line with international human rights standards.[7]

5. In 2016, the Committee on Economic, Social and Cultural Rights welcomed the adoption in 2015 of legislation on private tenancy leases, universal health insurance and

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mining.[8] It recommended that Burkina Faso incorporate into its Constitution all the rights set out in the International Covenant on Economic, Social and Cultural Rights.[9]

6. Several treaty bodies welcomed the adoption of the National Action Plan for Human Rights and the Promotion of Civic Values 2012–2022.[10] The Committee on the Elimination of Discrimination against Women welcomed the adoption of the action plan to implement the national gender policy.[11]

7. The Committee on Economic, Social and Cultural Rights welcomed the adoption in 2016 of the law establishing the National Human Rights Commission, and recommended that Burkina Faso enable the Commission to comply fully with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).[12] The Human Rights Committee recommended that Burkina Faso adopt the decree on the organization and functioning of the Commission.[13] Several treaty bodies recommended that that Burkina Faso ensure that the Commission had sufficient resources to carry out its mandate.[14] In 2017, Burkina Faso reported that the process of making the Commission operational was under way with the establishment of a mechanism for the appointment of new members and the adoption in 2017 of the decree.[15]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[16]

8. In 2016, the Committee on Economic, Social and Cultural Rights voiced its concern at the absence of effective measures to combat discrimination. It recommended that Burkina Faso adopt a comprehensive general law against discrimination that prohibited any form of direct or indirect discrimination.[17]

9. In 2016, the Human Rights Committee expressed concerned about customary practices that prevented women from owning land or inheriting it from their husband.[18]

10. The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso expedite the adoption of the revised Personal and Family Code, repealing all provisions that discriminated against women, including by raising the minimum legal age of marriage to 18 years for men and women, without exception.[19]

11. The same Committee was concerned that the Labour Code prohibited women from carrying out certain types of work based on discriminatory stereotypes, and that women continued to be ineligible for family benefits that were automatically granted to fathers. It recommended that Burkina Faso review discriminatory provisions and policies regulating the receipt of family benefits.[20]

12. The Committee regretted reports of attacks on persons with albinism and the stigma and social exclusion suffered by mothers of children with albinism. It recommended that Burkina Faso undertake awareness-raising to change negative attitudes towards women and girls with albinism.[21]

13. In 2013, the Committee on the Elimination of Racial Discrimination expressed concern at the survival of the caste system in certain ethnic groups. It recommended that Burkina Faso adopt special legislation on discrimination based on descent.[22] The Committee was also concerned that the country's legislation had no specific definition of racial discrimination tha vas fully in line with the International Convention on the Elimination of All Forms of Racial Discrimination.[23]

14. The Human Rights Committee was concerned about the stereotyping of lesbian, gay, bisexual and transgender persons and about reports of discriminatory acts and hate speech aimed against them, including by politicians. It recommended that Burkina Faso legally prohibit discrimination based on sexual orientation or gender identity.[24]

2. Development, the environment, and business and human rights[25]

15. The Committee on Economic, Social and Cultural Rights was alarmed by the harmful effect on the rights of rural communities of the activities of businesses that exploited the natural resources on the communities' territories. It was extremely concerned that those activities had a serious impact on the communities' human rights, particularly those of the Essakan community, where a mining company had not fully compensated displaced populations. The Committee recommended that Burkina Faso implement the Environmental and Social Management Plan and enforce the Mining and Environment Code.[26]

3. Human rights and counter-terrorism

16. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism was impressed by the domestic and international commitment of Burkina Faso to counter terrorism. He noted the positive measures that had been taken, such as the creation of a counter-terrorism force and a national committee and a national centre to counter terrorism.[27]

17. In 2014, the Special Rapporteur urged donors to increase levels of international support for Burkina Faso, targeting measures that contributed to securing stability and social justice, protecting the country's borders, alleviating poverty and resolving the crisis in the justice system.[28]

B. Civil and political rights

1. Right to life, liberty and security of person[29]

18. In 2013, the Committee against Torture regretted that the abolition of the death penalty had not yet been formally embodied in the law and that at least 10 prisoners were on death row. It recommended that Burkina Faso abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.[30] In 2017, Burkina Faso reported that a preliminary bill on the Criminal Code, which was being finalized, no longer provided for the death penalty as a criminal sanction.[31]

19. The Human Rights Committee and the Committee against Torture remained concerned by reports of mob attacks that had resulted in the death of alleged offenders, which, in some cases, had taken place in front of police officers. They recommended that Burkina Faso prosecute the perpetrators of such attacks and take steps to guarantee the credibility of the judicial system.[32]

20. The Human Rights Committee was concerned at the emergence of vigilante groups, including the "Koglweogo", some of which had allegedly engaged in extortion, illegal arrests and detentions, physical abuse and murder. It recommended that Burkina Faso reinforce the presence of national security and defence forces throughout the country and prevent vigilante groups from taking the place of the State.[33]

21. In 2016, the Committee on Enforced Disappearances recommended that Burkina Faso recognize the continuous nature of enforced disappearance and ensure that the offence was not subject to any statute of limitations.[34]

22. In 2016, the Human Rights Committee voiced concern about alleged human rights violations during the social and political unrest of the previous few years. It recommended that Burkina Faso prevent members of law enforcement agencies, the security forces and the prison service from making use of excessive and disproportionate force. It also recommended that Burkina Faso investigate all allegations of human rights violations, prosecute perpetrators and compensate the victims.[35]

23. The Special Rapporteur on terrorism welcomed the efforts of Burkina Faso to implement the recommendations from the previous review, particularly on implementing the national justice policy 2010–2019, which involved improving prison management, protecting the rights of detainees, promoting the social reintegration of prisoners and

humanizing places of detention. He recommended that Burkina Faso pursue its efforts to implement that policy.[36]

24. The Committee against Torture remained concerned by reports of acts of torture and ill-treatment perpetrated by law enforcement officers, which, in some cases, had reportedly resulted in the deaths of persons in detention.[37] It recommended that Burkina Faso revise the Criminal Code to ensure that the definition of torture was consistent with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; ensure that all reports of alleged torture and ill-treatment were investigated by an independent and impartial body, and the perpetrators prosecuted; and ensure that victims received full redress and rehabilitation.[38]

25. The Human Rights Committee welcomed the adoption of the law providing for the establishment of a national observatory for the prevention of torture, and urged Burkina Faso to adopt decrees to make it operational as soon as possible.[39] The Committee on Enforced Disappearances recommended that Burkina Faso allocate the necessary resources to the observatory.[40]

26. The Committee against Torture remained concerned by the poor prison conditions, including unsanitary conditions, in Burkina Faso, which had reportedly caused several deaths.[41] The Special Rapporteur on terrorism considered that the prison conditions amounted to inhuman and degrading treatment and stressed the imperative need for urgent action. He noted the almost total absence of medication for the treatment of infections or diseases, which were commonplace.[42] The Human Rights Committee was concerned about the high rate of overcrowding and the high percentage of prisoners in pretrial detention, and regretted the lack of a mechanism for receiving complaints from prisoners.[43] The Committee against Torture recommended that Burkina Faso improve prison conditions, in line with international standards, and establish an effective, independent and confidential mechanism for lodging complaints about conditions of detention.[44]

27. The Human Rights Committee remained concerned about reported wrongful arrests and detention in police custody.[45] The Committee against Torture was concerned that persons in detention were not afforded legal safeguards from the outset of deprivation of liberty.[46] The Committee on Enforced Disappearances recommended that Burkina Faso ensure that registers were properly maintained and that it sanction the deliberate failure to record a deprivation of liberty.[47] The Special Rapporteur on terrorism recommended that Burkina Faso ensure that any person on pretrial remand for a non-violent offence was urgently considered for conditional release.[48]

2. Administration of justice, including impunity, and the rule of law[49]

28. The Human Rights Committee welcomed the adoption in 2015 of the National Pact for Justice Reform.[50]

29. The Committee against Torture was concerned that in 2009, Burkina Faso had refused to accept the recommendation made in the context of the universal periodic review that it make every possible effort to ensure that the justice system could operate independently and that all political influence on the legal system be eliminated.[51]

30. The Committee on the Elimination of Discrimination against Women welcomed the increase in the number of courts of major jurisdiction, and the revision of the legal aid scheme in 2016. However, it was concerned about the low level of awareness among women of their rights and their limited geographical access to the courts. It recommended that Burkina Faso develop the court system in every region and broaden the jurisdiction of the ordinary courts to encompass decisions on matters under the Personal and Family Code, hitherto regulated by religious and customary courts.[52]

31. With reference to the implementation of the recommendations from the previous review, the Special Rapporteur on terrorism noted that the average time required to process civil cases had decreased significantly. He called upon Burkina Faso to strive for a significant decrease in the average time to process criminal cases.[53]

32. The Committee on Economic, Social and Cultural Rights was concerned about corruption and illicit financial flows in Burkina Faso.[54] The Committee against Torture and

the Human Rights Committee remained concerned by reports of corruption pervading the judiciary.[55] The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso investigate and prosecute all cases of corruption of justice personnel and punish the perpetrators adequately.[56] The Committee on the Rights of the Child recommended that Burkina Faso strengthen its anti-corruption mechanisms.[57]

33. In the light of the lack of specialized bodies in Burkina Faso to investigate cases of enforced disappearance, the Committee on Enforced Disappearances recommended that Burkina Faso take the measures necessary to ensure that all cases of enforced disappearance remained expressly outside military jurisdiction and could be investigated and tried by ordinary courts only.[58]

34. The Human Rights Committee welcomed the measures taken to establish responsibility for serious human rights violations committed since 1960 and during the events of 2014 and 2015. It recommended that Burkina Faso investigate the human rights violations documented by the commissions of inquiry, prosecute perpetrators and ensure that victims had access to effective remedy.[59]

35. The Committee against Torture recalled that, in the absence of an extradition request, Burkina Faso should prosecute all persons responsible for acts of torture or other international crimes who were in its territory.[60]

3. Fundamental freedoms and the right to participate in public and political life[61]

36. The Human Rights Committee welcomed the decriminalization in 2015 of press offences. However, it noted with concern the reported threats, harassment and intimidation to which some media outlets, journalists and human rights defenders had been subjected and the excessive restrictions on freedom of expression imposed by the Higher Council for Communication during the transition period.[62]

37. The Committee was concerned about the exclusion of several candidates from the 2015 elections. It recommended that Burkina Faso guarantee the right to vote and to run for election to all its citizens without distinction, including on grounds of political opinion.[63]

4. Prohibition of all forms of slavery[64]

38. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families was concerned about the persistence of trafficking in children and women for the purposes of forced labour, domestic slavery and prostitution. It recommended that Burkina Faso bring to justice those responsible and provide victims with support.[65]

39. The Committee on the Elimination of Discrimination against Women welcomed the creation of a national vigilance and monitoring committee, mandated to coordinate the implementation of anti-trafficking legislation. It recommended that Burkina Faso develop and implement an anti-trafficking strategy.[66]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[67]

40. The Committee on Economic, Social and Cultural Rights was concerned at the high unemployment rate, particularly among women and among young adults living in urban centres. It recommended that Burkina Faso effectively implement the national employment policy.[68]

41. The same Committee expressed concern that over 70 per cent of workers remained in the informal economy and were therefore deprived of social protection. The Committee recommended that Burkina Faso establish a universal social security system and regularize the situation of workers in the informal economy.[69]

42. The Committee on the Elimination of Discrimination against Women was concerned about the concentration of women in poorly paid jobs in the informal sector, where they

were frequently subjected to exploitative domestic work. It recommended that Burkina Faso systematically carry out inspections to combat exploitative labour practices and improve women's access to formal employment, including through temporary special measures.[70]

43. Concerned by the low minimum wage, the Committee on Economic, Social and Cultural Rights recommended that Burkina Faso set the minimum wage at a level that was sufficient to provide all workers and their families, including workers in the informal sector, with a decent standard of living.[71]

44. The same Committee was concerned that trade union rights were subject to excessive restrictions. It urged Burkina Faso to ensure that the legislative framework on trade union rights was in compliance with the International Covenant on Economic, Social and Cultural Rights, and to protect unionized workers and their leaders from intimidation.[72]

2. Right to an adequate standard of living[73]

45. The same Committee was concerned that a significant proportion of the population was not able to enjoy an adequate standard of living and that poverty remained widespread, particularly among women and persons living in rural areas. It recommended that Burkina Faso implement the Strategy for Accelerated Growth and Sustainable Development from a rights-based perspective.[74]

46. The Special Rapporteur on terrorism found it troubling that, while the national economy was steadily growing, nearly half of the population was living on an income that fell below the World Bank poverty line. He called upon Burkina Faso to increase its efforts to effectively combat poverty, and to ensure that growth in gross domestic product resulted in a proportional decrease in the poverty level of its population.[75]

47. The Committee on Economic, Social and Cultural Rights was concerned that food insecurity affected a large proportion of the population, and at the alarming persistence of acute malnutrition among children under the age of 5. It noted that the policy of promoting agro-industry had a harmful effect on family farms and could hamper the right to food.[76]

48. The Committee was concerned at the lack of access to safe drinking water, particularly in rural areas, and the irregular supply of drinking water. It noted the absence of a national strategy for the sanitation system.[77]

49. The Committee was concerned at the forced eviction of a large number of families in rural areas as a result of gold-mining operations and agro-industry.[78] The Committee on the Elimination of Discrimination against Women noted that women had been disproportionately affected by the forced eviction of the Kounkoufouanou and Essakan communities.[79]

50. The same Committee recommended that Burkina Faso establish a legal framework to ensure that agro-industrial projects and the activities of extractive industries did not undermine rural women's rights, and that it ensure that evictions were court-ordered and subject to strict procedural safeguards, in line with international standards.[80] The Committee on Economic, Social and Cultural Rights recommended that Burkina Faso guarantee the victims an effective remedy.[81]

51. The same Committee was concerned at the high proportion of the population living in substandard housing and the serious housing shortage, particularly in Ouagadougou. The Committee was also concerned at the resulting rise in housing costs. It recommended that Burkina Faso adopt a national human rights-based housing strategy and enforce the law on private tenancy leases.[82]

3. Right to health[83]

52. While welcoming the adoption of the 2015 law on a universal health insurance system, the same Committee regretted that disadvantaged and marginalized persons experienced difficulty in gaining access to health services. It recommended that Burkina Faso increase the health budget and improve the infrastructure of the primary health-care system.[84]

53. The Committee on the Elimination of Discrimination against Women welcomed the adoption of Decree No. 2016-311 (2016) introducing free health care for children under 5 years of age and for pregnant women. However, it was gravely concerned about the extremely high rate of maternal mortality and the link to the rising incidence of unsafe abortion, and the lack of comprehensive sexual and reproductive health education and services for adolescents.[85] The Committee on Economic, Social and Cultural Rights was concerned at the criminalization of abortion, which was driving women to resort to dangerous abortions, and the Human Rights Committee was concerned about constraints on access to legal abortion in cases of rape or incest. The Committee on Economic, Social and Cultural Rights recommended that Burkina Faso repeal its legislation penalizing abortion, and the Human Rights Committee urged it to eliminate the obstacles to legal abortion.[86] The two Committees requested that Burkina Faso ensure access for women and girls to sexual and reproductive health services, including methods of contraception, throughout the country. [87] The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso increase women's awareness of the Reproductive Health Act and improve access to basic prenatal and postnatal care and emergency obstetric services.[88]

54. The same Committee recommended that Burkina Faso ensure access to adequate health services for women and girls living with HIV.[89]

4. Right to education[90]

55. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted the 2012–2020 Sectoral Education and Training Programme, the 2011–2020 National Strategy for Girls' Education and the development of inclusive education.[91]

56. While welcoming the rise in primary school enrolment, the Committee on Economic, Social and Cultural Rights was concerned by reports that schooling involved indirect costs, the continued inequality in access to education, the high dropout rate in primary and secondary schools, particularly among girls, and the high illiteracy rate. It recommended that Burkina Faso fully implement the Plan for Strategic Development of Basic Education and its literacy plan, and improve the quality and infrastructure of schools, particularly in rural areas.[92]

57. The Committee on the Elimination of Discrimination against Women welcomed the adoption of a national strategy for the acceleration of girls' education (2012–2021) and the positive impact of its implementation in terms of increasing girls' access to education. However, the Committee was concerned about the extremely high rate of early pregnancy among school-age girls, the poor quality of education and the fact that many girls in situations of poverty were forced to discontinue their schooling and support their families. It recommended that Burkina Faso eliminate the indirect costs of schooling, strengthen adult literacy programmes, especially for women in rural areas, allocate adequate resources to programmes to combat early pregnancy, and dismantle discriminatory stereotypes and other barriers to girls' access to education by raising awareness of the importance of education for women.[93]

D. Rights of specific persons or groups

1. Women[94]

58. In 2017, the same Committee welcomed the 2015 Act on prevention and punishment in respect of violence against women and girls and other legislative and institutional measures aimed at eliminating discrimination against women and promoting gender equality. [95] It was, however, concerned about the persistence of stereotypes that discriminated against women. It recommended that Burkina Faso develop a comprehensive strategy, including clear goals and timelines, to modify discriminatory stereotypes that affected women.[96]

59. The Committee was concerned at the persistence of female genital mutilation and recommended that Burkina Faso allocate sufficient resources for the implementation of the national plans and strategies to combat that practice.[97]

60. The Committee on the Elimination of Racial Discrimination and the Committee against Torture were concerned at the persistence in certain ethnic groups of harmful customary practices, such as forced, levirate and sororate marriages.[98] Several treaty bodies recommended that Burkina Faso take urgent measures to put a stop to customary practices that were harmful to women.[99]

61. The Human Rights Committee remained concerned about the prevalence of violence against women, including marital and sexual violence.[100] The Committee on Economic, Social and Cultural Rights regretted the difficulties faced by female victims in obtaining access to justice and support.[101] The Human Rights Committee recommended that Burkina Faso investigate cases of violence against women and prosecute the perpetrators.[102] The Committee on Economic, Social and Cultural Rights recommended that Burkina Faso guarantee access to justice and to adequate recovery for victims.[103] The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso expedite the revision of Act No. 061-2015/CNT in order to criminalize marital rape.[104] The Committee on the Elimination of Racial Discrimination recommended that Burkina Faso include in the Criminal Code a provision to protect women accused of witchcraft.[105]

62. The Human Rights Committee remained concerned about the low number of women in public affairs and in positions of responsibility in the private sector.[106] The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso finalize and adopt the draft law revising Act No. 010-2009 to raise the representation of either sex on candidate lists for legislative and municipal elections from 30 to 50 per cent and reject any candidate list that did not respect that quota. It also recommended implementing temporary special measures to ensure gender parity in the appointment of women to decision-making positions.[107]

63. The same Committee recommended that Burkina Faso adopt a strategy to reinforce the capacity of the national machinery for the advancement of women and ensure that it had adequate decision-making power and resources.[108]

2. Children[109]

64. The Human Rights Committee welcomed the national programme to combat child labour at small-scale mining sites and quarries (2015–2019). Nevertheless, it was concerned about the extent and persistence of the use of children for begging and forced labour, particularly their use as domestic workers or in dangerous work, including small-scale mining operations, farm work and selling drinks.[110]

65. The Committee on the Elimination of Discrimination against Women was concerned at the extremely high rate of child marriage, with 92 per cent of girls in rural areas married before reaching the age of 18 years. It recommended that Burkina Faso allocate sufficient resources for the implementation of the national plan and strategies to combat child marriage.[111]

66. Several treaty bodies were concerned about the exploitation of *talibés* and *garibous* children for begging.[112] The Committee against Torture urged Burkina Faso to prosecute any persons who forced children to beg.[113]

67. The Human Rights Committee recommended that Burkina Faso strictly enforce the laws relating to child trafficking, child labour and the exploitation of children.[114] The Committee on Economic, Social and Cultural Rights recommended that Burkina Faso effectively apply the Labour Code provisions prohibiting the worst forms of child labour.[115] The Committee on the Rights of the Child urged Burkina Faso to remove children from situations of forced labour and other situations of servitude.[116]

68. The same Committee was concerned at the prevalence of child prostitution and child pornography and the absence of adequate measures to effectively prevent child sex tourism.[117] It recommended that Burkina Faso prohibit expressly by law all offences covered under the Optional Protocol to the Convention on the Rights of the Child on the

sale of children, child prostitution and child pornography, expedite the adoption of the Child Protection Code, and establish mechanisms for identifying child victims.[118] The Human Rights Committee urged Burkina Faso to amend Act No. 011-2014/AN on punishment of the sale of children, child prostitution and child pornography, which currently allowed a person found guilty of such offences to pay a fine rather than go to prison.[119] The Committee on the Rights of the Child reiterated its concern at the extremely low sanctions pronounced against persons committing paedophilia.[120]

69. The Committee against Torture urged Burkina Faso to revise its legislation to include a prohibition on corporal punishment in the home.[121]

70. The same Committee was concerned by reports that the juvenile justice system did not function properly. It recommended that Burkina Faso ensure that minors were detained only as a last resort and for the shortest possible period, and were held separately from adults.[122]

71. The Committee on the Rights of the Child recommended that Burkina Faso criminalize the recruitment and use of persons under 18 years of age in the national armed forces, non-State armed groups and security companies, and consider the acts covered by the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict as criminal offences.[123]

3. Persons with disabilities[124]

72. UNESCO regretted the absence of information concerning persons with disabilities, while acknowledging the fact that the educational obstacles faced by children with disabilities in Burkina Faso were primarily of a social nature[125]. UNESCO recommended encouraging the inclusion of pupils with disabilities within the educational system and combating the various forms of discrimination with which they were confronted[126].

73. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the Act on the protection and promotion of the rights of persons with disabilities and noted that the Constitution required the State to provide assistance to persons with disabilities. It was concerned, however, that the rights of women and girls with disabilities were not protected by any specific policy or plan of action. It recommended that Burkina Faso develop and implement a strategy to ensure that women and girls with disabilities had effective access to justice, political and public life, education, income-generating activities and health care, including sexual and reproductive health-care services.[127]

4. Minorities and indigenous peoples[128]

74. The Committee on the Elimination of Racial Discrimination was concerned that nomads, migrants and people from rural areas might not be sufficiently taken into account in the development programmes and policies drawn up by Burkina Faso. It recommended that Burkina Faso take measures to avoid their marginalization.[129]

75. The Committee on the Elimination of Racial Discrimination was concerned by the communitarian and sometimes ethnic dimension of the conflicts between herders and farmers, especially those involving the Fulani people.[130] The Human Rights Committee urged Burkina Faso to reduce tensions between pastoralists and farmers by taking into consideration the root causes of the conflicts, such as land-tenure insecurity.[131] Noting with concern reports that the Fulani community had been regularly targeted by vigilante groups, it welcomed the establishment in 2015 of the National Observatory for the Prevention and Management of Community Conflicts.[132]

5. Migrants, refugees, asylum seekers and internally displaced persons

76. The Committee on Migrant Workers recommended that Burkina Faso adopt the national strategy on migration 2014–2025 and develop a national strategy on the durable reintegration of migrant workers who had been repatriated.[133]

77. The same Committee recommended that Burkina Faso ensure that any form of detention of migrant workers for offences against immigration law was not arbitrary and was used as a last resort only.[134]

78. The same Committee recommended that Burkina Faso ensure that migrant workers and members of their families, including those in an irregular situation, had the right to file complaints and obtain effective redress in the courts.[135]

79. The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomed the determination and commitment displayed by Burkina Faso regarding its obligations towards refugees.[136]. However, UNHCR was concerned at the fact that the terrorist attacks that had occurred in Burkina Faso since 2016 had led in some cases to refugees being stigmatized. UNHCR recommended that Burkina Faso should guarantee refugees' access to international protection and preserve the integrity of asylum systems, while better integrating refugees in national programmes designed to facilitate social cohesion.[137]

80. The Committee on the Elimination of Discrimination against Women was concerned that refugee women and girls were at a heightened risk of sexual and gender-based violence, as well as early and forced marriage, human trafficking and forced prostitution. It recommended that Burkina Faso make the High Council for Reconciliation and National Unity fully operational and thereby enable it to investigate allegations of human rights violations by security forces and terrorist groups, bring perpetrators to justice and ensure compensation and rehabilitation for victims.[138]

81. The Committee on Migrant Workers was concerned that identity cards issued to refugees were not recognized, or poorly recognized.[139] UNHCR recommended extending the validity of refugees' identity cards to five years.[140]

82. The Committee on Enforced Disappearances recommended that Burkina Faso incorporate the principle of non-refoulement explicitly into its legislation.[141]

6. Stateless persons[142]

83. UNHCR welcomed the legislative and awareness-raising measures taken by Burkina Faso to combat statelessness.[143] It recommended that Burkina Faso ensure the effective implementation of the National Plan of Action to Combat Statelessness and continue with its birth registration policy.[144]

84. The Committee on the Rights of the Child recommended that Burkina Faso establish a national system of free birth registration for all children.[145] The Committee on the Elimination of Discrimination against Women recommended that Burkina Faso conduct awareness-raising campaigns on the importance of birth registration and use mobile civil registration units, paying particular attention to children born in refugee camps.[146]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Burkina Faso will be available at www.ohchr.org/EN/Countries/AfricaRegion/Pages/BFIndex.aspx.
2 For relevant recommendations, see A/HRC/24/4, paras. 135.1–135.2.
3 See E/C.12/BFA/CO/1, para. 53; CRC/C/OPSC/BFA/CO/1, paras. 19 (e) and 42; and CMW/C/BFA/CO/1, para. 11.
4 See CAT/C/BFA/CO/1, para. 29; CERD/C/BFA/CO/12-19, para. 19; CMW/C/BFA/CO/1, para. 9; and CED/C/BFA/CO/1, para. 8.
5 For relevant recommendations, see A/HRC/24/4, paras. 135.3–135.12.
6 See CEDAW/C/BFA/CO/7, paras. 8–9.
7 See CAT/C/BFA/CO/1, para. 11. See also CCPR/C/BFA/CO/1, para. 30; and CED/C/BFA/CO/1, paras. 31–32.
8 See E/C.12/BFA/CO/1, para. 5 (a)–(b) and (d). See also para. 42.
9 Ibid., paras. 6–7.
10 See CAT/C/BFA/CO/1, para. 6 (c); CED/C/BFA/CO/1, para. 4; and CERD/C/BFA/CO/12-19, para. 4 (g).

[11] See CEDAW/C/BFA/CO/7, para. 5 (c).
[12] See E/C.12/BFA/CO/1, para. 8. See also CED/C/BFA/CO/1, paras. 9–10 and CED/C/BFA/CO/1/Add.1, paras. 2 and 4.
[13] See CCPR/C/BFA/CO/1, paras. 7–8.
[14] See CAT/C/BFA/CO/1, para. 15, CERD/C/BFA/CO/12-19, para. 14, and CEDAW/C/BFA/CO/6/Add.1, para. 15.
[15] See CED/C/BFA/CO/1/Add.1, para. 3.
[16] For relevant recommendations, see A/HRC/24/4, paras. 135.44–135.66.
[17] See E/C.12/BFA/CO/1, paras. 11–12.
[18] See CCPR/C/BFA/CO/1, para. 15.
[19] See CEDAW/C/BFA/CO/7, para. 51 (a). See also E/C.12/BFA/CO/1, paras. 17–18, CCPR/C/BFA/CO/1, paras. 15–16, CRC/C/OPSC/BFA/CO/1, para. 21, CEDAW/C/BFA/CO/6/Add.1, paras. 53–54 and 58, and the letter dated 6 December 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Burkina Faso to the United Nations Office and other international organizations in Geneva, p. 4. Available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/BFA/INT_CEDAW_FUL_BFA_259_E.pdf.
[20] See CEDAW/C/BFA/CO/7, paras. 34–35.
[21] Ibid., paras. 48–49.
[22] See CERD/C/BFA/CO/12-19, para. 8.
[23] Ibid., para. 6.
[24] See CCPR/C/BFA/CO/1, paras. 13–14.
[25] For relevant recommendations, see A/HRC/24/4, paras. 135.24 and 136.2.
[26] See E/C.12/BFA/CO/1, paras. 13–14.
[27] See A/HRC/25/59/Add.1, paras. 55–57.
[28] Ibid., para. 67.
[29] For relevant recommendations, see A/HRC/24/4, paras. 135.66–135.89.
[30] See CAT/C/BFA/CO/1, para. 24. See also CCPR/C/BFA/CO/1, paras. 21–22, and CED/C/BFA/CO/1, para. 14.
[31] See CED/C/BFA/CO/1/Add.1, para. 6.
[32] See CAT/C/BFA/CO/1, para. 26. See also CCPR/C/BFA/CO/1, paras. 23–24.
[33] See CCPR/C/BFA/CO/1, paras. 23–24. See also CCPR/C/BFA/CO/1/Add.1, paras. 13–18.
[34] See CED/C/BFA/CO/1, para. 20.
[35] See CCPR/C/BFA/CO/1, paras. 25–26. See also CAT/C/BFA/CO/1, para. 9.
[36] See A/HRC/25/59/Add.1, paras. 49–50 and 71.
[37] See CAT/C/BFA/CO/1, paras. 10 and 12. See also CCPR/C/BFA/CO/1, para. 27.
[38] See CAT/C/BFA/CO/1, paras. 8, 12 and 18. See also paras. 10 (a) and 12 (a), and CCPR/C/BFA/CO/1, para. 28.
[39] See CCPR/C/BFA/CO/1, paras. 3 (b) and 28. See also CED/C/BFA/CO/1, para. 11, and CAT/C/BFA/CO/1, paras. 8–9 and 16.
[40] See CED/C/BFA/CO/1, para. 12. See also CAT/C/BFA/CO/1, para. 16.
[41] See CAT/C/BFA/CO/1, para. 19. See also CCPR/C/BFA/CO/1, para. 33, and CMW/C/BFA/CO/1, para. 24.
[42] See A/HRC/25/59/Add.1, paras. 44 and 46.
[43] See CCPR/C/BFA/CO/1, para. 33. See also para. 29.
[44] See CAT/C/BFA/CO/1, para. 19. See also CCPR/C/BFA/CO/1, para. 34, and CMW/C/BFA/CO/1, para. 25 (c).
[45] See CCPR/C/BFA/CO/1, paras. 29–30.
[46] See CAT/C/BFA/CO/1, para. 11. See also CCPR/C/BFA/CO/1, para. 30, and CED/C/BFA/CO/1, paras. 31–32.
[47] See CED/C/BFA/CO/1, para. 34.
[48] See A/HRC/25/59/Add.1, para. 71 (c).
[49] For relevant recommendations, see A/HRC/24/4, paras. 135.107–135.112.
[50] See CCPR/C/BFA/CO/1, para. 3 (a).
[51] See CAT/C/BFA/CO/1, para. 17. See also CCPR/C/BFA/CO/1, para. 32.
[52] See CEDAW/C/BFA/CO/7, paras. 12–13.
[53] See A/HRC/25/59/Add.1, para. 49.
[54] See E/C.12/BFA/CO/1, paras. 9–10. See also CAT/C/BFA/CO/1, para. 17 (b), and CCPR/C/BFA/CO/1, para. 32.
[55] See CAT/C/BFA/CO/1, para. 17, and CCPR/C/BFA/CO/1, para. 31.
[56] See CEDAW/C/BFA/CO/7, para. 13.
[57] See CRC/C/OPSC/BFA/CO/1, para. 17.
[58] See CED/C/BFA/CO/1, paras. 22 and 27.

[59] See CCPR/C/BFA/CO/1, paras. 9–10. See also CED/C/BFA/CO/1, para. 37.
[60] See CAT/C/BFA/CO/1, para. 13.
[61] For relevant recommendations, see A/HRC/24/4, paras. 135.49 and 135.56–135.57.
[62] See CCPR/C/BFA/CO/1, paras. 3 (g) and 25.
[63] Ibid., paras. 39–40.
[64] For relevant recommendations, see A/HRC/24/4, paras. 135.97–135.105.
[65] See CMW/C/BFA/CO/1, paras. 38–39 (c)–(d).
[66] See CEDAW/C/BFA/CO/7, paras. 26–27 (a).
[67] For relevant recommendations, see A/HRC/24/4, paras. 135.112–135.115.
[68] See E/C.12/BFA/CO/1, paras. 19–20.
[69] Ibid., paras. 21–22.
[70] See CEDAW/C/BFA/CO/7, paras. 34–35.
[71] See E/C.12/BFA/CO/1, paras. 23–24.
[72] Ibid., paras. 25–26.
[73] For relevant recommendations, see A/HRC/24/4, paras. 135.114, 135.116 and 135.119.
[74] See E/C.12/BFA/CO/1, paras. 32–33.
[75] See A/HRC/25/59/Add.1, paras. 34, 64 and 72.
[76] See E/C.12/BFA/CO/1, paras. 34–35.
[77] Ibid., paras. 40–41.
[78] Ibid., paras. 36–37.
[79] See CEDAW/C/BFA/CO/7, para. 42 (b).
[80] Ibid., paras. 42–43.
[81] See E/C.12/BFA/CO/1, paras. 36–37.
[82] Ibid., paras. 38–39.
[83] For relevant recommendations, see A/HRC/24/4, paras. 135.120–135.125.
[84] See E/C.12/BFA/CO/1, paras. 42–43. See also para. 5 (b).
[85] See CEDAW/C/BFA/CO/7, paras. 32 (b) and 36.
[86] See E/C.12/BFA/CO/1, para. 47 (a), and CCPR/C/BFA/CO/1, para. 20.
[87] See E/C.12/BFA/CO/1, para. 47 (b), and CCPR/C/BFA/CO/1, para. 20.
[88] See CEDAW/C/BFA/CO/7, paras. 36–37.
[89] Ibid., para. 39.
[90] For relevant recommendations, see A/HRC/24/4, paras. 135.127–135.133.
[91] See UNESCO submission for the universal periodic review of Burkina Faso, paras. 13–14.
[92] See E/C.12/BFA/CO/1, paras. 49–50.
[93] See CEDAW/C/BFA/CO/7, paras. 32–33. See also E/C.12/BFA/CO/1, paras. 46–47 (c).
[94] For relevant recommendations, see A/HRC/24/4, paras. 135.3–135.10, 135.35 and 135.44–135.61.
[95] See CEDAW/C/BFA/CO/7, paras. 4 (b)–(c) and 5.
[96] Ibid., paras. 22 and 23 (a).
[97] Ibid., paras. 24 and 25 (a). See also CERD/C/BFA/CO/12-19, para. 9, CAT/C/BFA/CO/1, para. 21, E/C.12/BFA/CO/1, paras. 17 and 27, and CCPR/C/BFA/CO/1, para. 15.
[98] See CERD/C/BFA/CO/12-19, para. 9, and CAT/C/BFA/CO/1, para. 21. See also E/C.12/BFA/CO/1, paras. 17 and 27, and CCPR/C/BFA/CO/1, para. 15.
[99] See CERD/C/BFA/CO/12-19, para. 9, E/C.12/BFA/CO/1, para. 18, CCPR/C/BFA/CO/1, para. 16, and CAT/C/BFA/CO/1, para. 21.
[100] See CCPR/C/BFA/CO/1, para. 17. See also CRC/C/OPSC/BFA/CO/1, para. 18 (b).
[101] See E/C.12/BFA/CO/1, para 27. See also CCPR/C/BFA/CO/1, para. 17, and the letter dated 6 December 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Burkina Faso to the United Nations Office and other international organizations in Geneva, pp. 2–3.
[102] See CCPR/C/BFA/CO/1, para. 18. See also E/C.12/BFA/CO/1, para. 28 (b), CAT/C/BFA/CO/1, para. 21, and the letter dated 6 December 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Burkina Faso to the United Nations Office and other international organizations in Geneva, pp. 2–3.
[103] See E/C.12/BFA/CO/1, para. 28 (b) and (d). See also CCPR/C/BFA/CO/1, para. 18, and the letter dated 6 December 2016 from the Committee on the Elimination of Discrimination against Women to the Permanent Mission of Burkina Faso to the United Nations Office and other international organizations in Geneva, pp. 2–3.
[104] See CEDAW/C/BFA/CO/7, para. 23 (b).
[105] See CERD/C/BFA/CO/12-19, para. 9.
[106] See CCPR/C/BFA/CO/1, paras. 11–12.
[107] See CEDAW/C/BFA/CO/7, paras. 28–29.
[108] Ibid., para. 17 (a).
[109] For relevant recommendations, see A/HRC/24/4, paras. 135.11–135.20, 135.23, 135.27, 135.55,

135.60, 135.65–135.66, 135.71, 135.73, 135.76, 135.87, 135.90–135.105, 135.109 and 135.126–135.127.

[110] See CCPR/C/BFA/CO/1, paras. 3 (f) and 35. See also E/C.12/BFA/CO/1, para. 30, CRC/C/OPSC/BFA/CO/1, para. 18, and CAT/C/BFA/CO/1, para. 22.

[111] See CEDAW/C/BFA/CO/7, paras. 24 and 25 (a).

[112] See CRC/C/OPSC/BFA/CO/1, para. 30, CERD/C/BFA/CO/12-19, para. 11, and CMW/C/BFA/CO/1, para. 22.

[113] See CAT/C/BFA/CO/1, para. 22 (a).

[114] See CCPR/C/BFA/CO/1, para. 36. See also CERD/C/BFA/CO/12-19, para. 11, and CRC/C/OPSC/BFA/CO/1, para. 31 (a).

[115] See E/C.12/BFA/CO/1, para. 31.

[116] See CRC/C/OPSC/BFA/CO/1, para. 19 (d).

[117] Ibid., paras. 22 and 24.

[118] Ibid., paras. 9 (a) and (c) and 35 (a)–(b). See also para. 37.

[119] See CCPR/C/BFA/CO/1, paras. 35–36.

[120] See CRC/C/OPSC/BFA/CO/1, para. 30.

[121] See CAT/C/BFA/CO/1, para. 22.

[122] Ibid., para. 23.

[123] See CRC/C/OPAC/BFA/CO/1, paras. 22–23 (b) and 25 (b).

[124] For relevant recommendations, see A/HRC/24/4, paras. 135.60, 135.62–135.66, 135.126 and 135.128.

[125] See UNESCO submission, para. 16.

[126] Ibid., para. 18 (recommendation 3).

[127] See CEDAW/C/BFA/CO/7, paras. 48–49.

[128] For relevant recommendations, see A/HRC/24/4, paras. 135.66 and 136.3.

[129] See CERD/C/BFA/CO/12-19, para. 12.

[130] Ibid., para. 15. See also CCPR/C/BFA/CO/1, paras. 41–42.

[131] See CCPR/C/BFA/CO/1, para. 42.

[132] Ibid., paras. 41–42 and 3 (h).

[133] See CMW/C/BFA/CO/1, paras. 13 and 36–37 (d).

[134] Ibid., paras. 24–25 (b).

[135] Ibid., paras. 18–19 (a).

[136] UNHCR submission for the universal periodic review of Burkina Faso, p. 1.

[137] UNCHR submission, pp. 3–4.

[138] See CEDAW/C/BFA/CO/7, paras. 14 (a) and 15 (b).

[139] See CMW/C/BFA/CO/1, para. 40.

[140] UNHCR submission, p. 4. See also CERD/C/BFA/CO/12-19, para. 10.

[141] See CED/C/BFA/CO/1, para. 30.

[142] For the relevant recommendation, see A/HRC/24/4, para. 135.1.

[143] UNHCR submission, p. 2.

[144] Ibid., p. 3.

[145] See CRC/C/OPAC/BFA/CO/1, para. 17, and CRC/C/OPSC/BFA/CO/1, para. 19 (a).

[146] See CEDAW/C/BFA/CO/7, paras. 30–31.